

SENATE BILL 3704

By Beavers

AN ACT to amend Tennessee Code Annotated, Title 55,
Chapter 10, relative to the offense of driving under
the influence of an intoxicant.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-10-403, is amended by deleting subsection (c)(1) and substituting instead the following:

(c)

(1) All persons sentenced under subsection (a) shall, in addition to service of at least the minimum sentence, be required to serve the difference between the time actually served and the maximum sentence on probation. The judge has the discretion to impose any conditions of probation that are reasonably related to the offense, but shall impose the following conditions:

(A)

(i) Participation in an alcohol and drug safety DUI school; and/or a drug offender school program, if available; and

(ii) A drug and alcohol assessment or treatment; or

(iii) If the court deems it appropriate and the service is available, both a drug and alcohol assessment and treatment, with the cost of such service being paid as provided in subdivision

(c)(2); or

(B) In lieu of or in addition to the requirements of subdivision (c)(1)(A), the judge shall order the offender to attend a victims impact panel program if such a program is offered in the county where the

offense occurs, and, if the court finds the offender has the ability to pay, to pay a fee of not less than twenty-five dollars (\$25.00) nor more than fifty dollars (\$50.00), as determined by the governing authority of the program and approved by the sentencing judge, to the program to offset the cost of participation by the offender; or

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.